

**Before the  
Federal Communications Commission  
Washington, DC 20554**

In the Matter of:	)	
	)	
Rules and Regulations Implementing the	)	CG Docket No. 02-278
Telephone Consumer Protection Act of 1991	)	
	)	
Petition of Paul Armbruster for Declaratory Ruling	)	

**COMMENTS OF JOHN A. SHAW**

These comments are made in response to the Commission’s Public Notice seeking comment on the petition for declaratory ruling filed by of Paul Armbruster on this docket.<sup>1</sup> Mr. Armbruster seeks a ruling, “confirming that a cellular phone customer can revoke consent to receive any and all unwanted text messages from their cell service provider.”<sup>2</sup>

I comment as a telephone consumer only. I have no business relationship with cellular telephone carriers other than being a consumer of cellular telephone service. Like the petitioner, I receive text messages, in addition to paper statements, acknowledging that payments have been automatically charged to me. Although I have not asked for these messages to stop, I should have the right to do so if I wish.

I support Mr. Armbruster’s petition for declaratory ruling.

There is, as the petition concedes, a common-carrier exemption that allows text messages to consumers from their cellular service provider without the need for prior express consent. However, this exemption should not prevent the consumer from revoking consent. In the 2015 order the Commission said that “Among other actions, we:... Empower consumers to stop

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<sup>1</sup> Petition of Paul Armbruster for Declaratory Ruling Or Alternatively A Rulemaking Regarding A Consumer’s Absolute Right to Revoke Consent to Receive Unwanted Text Messages From Common Carriers, CG Docket No. 02-278 (filed July 9, 2019) (Petition).

<sup>2</sup> *Id* at 6.

unwanted calls by confirming that... Consumers may revoke consent at any time and through any reasonable means;...”<sup>3</sup>

I request that the Commission adopt a ruling that a consumer can revoke consent to receive text messages from their cellular carrier.

Respectfully submitted,

John A. Shaw  
374 Cromwell Drive  
Rochester, NY 14610  
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<sup>3</sup> Declaratory Ruling and Order, July 10, 2015, FCC 15-72, 30 FCC Rcd 7961, 7965 (2015 order), ¶2